

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  MIDAMERICAN ENERGY COMPANY	DOCKET NO. WRU-03-6-156
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**ORDER GRANTING WAIVER**

(Issued March 14, 2003)

On February 7, 2003, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) a request for waiver of 199 IAC 20.18(7)"h"(2)2. This rule provides that the annual reliability report required by 199 IAC 20.18(7) for electric utilities with over 50,000 Iowa retail customers include certain information regarding tree trimming. The Consumer Advocate Division of the Department of Justice filed a response on February 10, 2003, stating that it has no objection to the waiver request.

Subrule 20.18(7)"h"(2)2 requires that the reliability report include "total annual projected and actual miles of transmission line and of distribution line for which trees were trimmed for the reporting year . . ." The subrule further provides, however, that if the utility would prefer to utilize an alternative method of tracking tree trimming, it may propose that method in a request for waiver. Rather than using total miles, MidAmerican proposed to track tree trimming on the basis of "scheduled maintenance projects," which can consist of either entire circuits or defined geographical areas. MidAmerican said its annual report would list the scheduled

maintenance projects for which trees were trimmed, along with the associated man-hours expended.

In support of the waiver request, MidAmerican said there is no accurate way to determine the miles of line in its project areas. MidAmerican's budget forecasting and manpower requirements are based on historical data on a project basis and conversion to a mileage system would be expensive and disruptive. MidAmerican argued that man-hours expended on tree trimming is a better measurement than miles trimmed because of differences in tree densities in urban and rural areas.

Tree trimming has both reliability and safety implications. The purpose of the Board's tree trimming rules is to make sure this work does not lag due to budget cuts or changing priorities. Using man-hours would provide a consistent measure to gauge MidAmerican's tree trimming program each year and also eliminate possible mileage fluctuations that could occur depending on the areas trimmed in a particular year. The Board notes that the rules were not adopted to compare utilities to each other, but only to track an individual utility's program. The effectiveness of the rules is not compromised if different utilities report in different ways.

The Board will grant the waiver. Pursuant to 199 IAC 1.3, application of the rule would cause hardship for MidAmerican in terms of disruption to operations and increased costs. The alternative measurement proposed does not compromise the rule or the protection of the public health, safety, and welfare and, in fact, has some advantages over measuring tree trimming by mileage.

MidAmerican's request stated that it would submit a list of scheduled maintenance work projects actually trimmed and associated man-hours expended. MidAmerican is reminded that in addition to this information, it must also include projected data on tree trimming in the annual report. The projected data is important so that the Board can determine if tree trimming is taking place as scheduled.

**IT IS THEREFORE ORDERED:**

The request for waiver of 199 IAC 20.18(7)"h"(2)2 filed by MidAmerican Energy Company on February 7, 2003, is granted to the extent discussed in this order.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 14<sup>th</sup> day of March, 2003.